

US v. Raza Sikandar

20-cr-582 (MKB)

9-22-22

Dear Clerk of Court,


**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 26 2022 ★

BROOKLYN OFFICE

Please file this Pro Se  
Taretta / Substitute Counsel  
Motion - All exhibits  
are in Secondary mailings  
also provided to MDC for  
expeditious mailing. They may take  
an extra day or so as they are  
through bulk mail packaging.

Thankyou,

 #20832509  
MDC - Brooklyn.



TRULINCS 20832509 - SIKANDER, RAZA HASAN - Unit: BRO-K-B

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FROM: 20832509  
TO: Wallenstein-Office, John  
SUBJECT: Motion for Substitute Counsel / Faretta  
DATE: 09/22/2022 03:12:58 PM

09/22/2022  
Honorable Chief Judge Margo K. Brodie  
Eastern District of New York  
225 Cadman Plaza East,  
Brooklyn, NY 11201

Re: United States vs. Raza Sikandar, 20-cr-582 (MKB)

Motion for Substitute Counsel / Substitute Stand-by Counsel / Self-Representation [Pro Se]

Raza Sikandar, Pro Se, motions this Honorable Court to appoint him substitute counsel due to deficient performance &/or conflict of interest &/or to appoint substitute stand-by counsel &/or to move Pro Se &/or for any remedy that the Court deems appropriate for the following reasons:

{1}. Current appointed counsel John Wallenstein's specific &/or overall performance during the pendency of Sikandar's case does not meet the threshold for effective representation guaranteed to him by the 6th Amendment of the United States Constitution (see Sikandar Affidavit + exhibits). As such, counsel should be substituted.

[a. Alternatively, Sikandar should be provided substitute stand-by counsel &/or allowed to proceed Pro Se with a mitigation expert, a dedicated paralegal and a social worker for assistance. Expeditiously, Sikandar should be provided with funds for legal supplies & TRULINKS legal expenses deposited to his BOP trust account #20832509, through client service funds &/or by the Government, & be provided an internet disabled Apple brand lap-top [due to O/S] accessible/retained by Sikandar at all times (see [c. below] due to perpetual lock-downs and severance of adequate legal capacity, with extra batteries & several removable memory drives [similar to the discovery drives already provided by the Government - for printing/file transfer purposes to/from stand-by counsel &/or support staff ], pre-loaded with all base operating & Microsoft Office software, the complete discovery, Sikandar's complete "client/attorney file" from Mr. Wallenstein (see [b. below]), current docket sheet, all documents submitted to ECF/Pacer, all documents sealed and unsealed submitted to the Court, BOP's complete law library, current Lexis Nexis & Westlaw software programs, &/or any other electronic data documents/emails/exhibits in the possession of Mr. Wallenstein from anyone or any entity pertaining to Sikandar. As appointed counsel has refused to provide Sikandar with his complete "client/attorney file" [On 09/16/2022 phone call] Sikandar requests a Court order.

[b. Everything related to SIKANDAR, without limitation or counsel discretion, in the possession/knowledge of counsel, should be transferred to Sikandar to preserve continuity, including but not limited to: all electronic &/or print versions of complete - drafts, PSR, objections, memos, 3500 material, confidential/unconfidential information, attorneys eyes only information, prosecution and defense complete discovery productions under: local rules, FRCP, Brady v. Maryland, Jencks Act, United States v. Giglio, Court orders, Constitutional requirements, &/or for any other reason that NY state and Federal law requires &/or provides, any investigation notes, investigation of supplementary rights as a family member of European Union citizen [Sikandar invoked these additional rights (such as data privacy protection rights - (also see recorded "Sikandar-Wenzel Interview" forcibly taken for a description of "Czech Republic rights"))], probation recommendations and reports, pre/post trial investigations, full & complete "client/attorney file" from all previous appointed counselors migrated to Mr. Wallenstein, all incoming-outgoing emails pertaining to Sikandar, all data regarding Sikandar, all exhibits concerning Sikandar filed and/or unfiled to the record, all tangible/intangible objects regarding Sikandar, all recordings pertaining to Sikandar, any information provided by the Federal Defenders & Douglas Morris Esq. & Deirdre von Dornum Esq. & David Patton Esq. & Carrie Kissick & Lisa [counsel legal assistant/paralegal/secretary] & Michael Gold Esq. & Joseph Pricone Esq. & John Meringalo Esq. & David DeStefano Esq. & Muhammed Fahridi Esq. [Patterson, Belknap...], & David Benowitz Esq. and/or anyone that made inquiry &/or provided support &/or information to current & previous counselors and their support staff and/or any of their associates pertaining to Sikandar, mitigation experts and there reports that were consulted [Lisa Orwell, Jen Myers, the "he" that was referred to in counsels emails thru April 2022 and anyone known/unknown to Sikandar that was consulted by counsel], any files pertaining to "mitigation" for Sikandar, &/any other person with knowledge or information discussed, gleaned, shared pertaining to Sikandar, full and complete Rikers Island files, BOP health records including those regarding the injuries sustained as result of Sikandar being assaulted on 01/12/2022 - it's videos, pictures, reports that were requested by Sikandar for sentencing purposes &/or for any purpose, any information of Sikandar being assaulted by gang members and held at knife point, any information of Sikandar being extorted by prison gangs including for his medications, any information of Sikandar having to be

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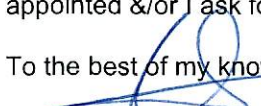
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{3}. Former appointed counsel Douglas Morris of the Brooklyn Federal Defenders specific &/or overall performance during the pendency of Sikandar's case did not meet the threshold for effective assistance of counsel guaranteed to him by the 6th Amendment of the United States (see Sikandar Affidavit + exhibits). Counsel's ineffective assistance should be noted for the record.

WHEREFORE,

I ask that all previous motions, adopted &/or unadopted, with all testimony, attachments, affidavits, orders, transcripts, memorandums, exhibits &/or any other information from the record be merged into this motion. I ask that substitute counsel be appointed &/or I ask for any appropriate remedy by the Honorable Court.

To the best of my knowledge,

  
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Raza Sikandar, Defendant, Pro Se  
09/18/2022



TRULINCS 20832509 - SIKANDER, RAZA HASAN - Unit: BRO-K-B

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FROM: 20832509  
TO: Wallenstein-Office, John  
SUBJECT: Sikandar Affidavit 1  
DATE: 09/22/2022 03:15:00 PM

09/22/2022  
Honorable Chief Judge Margo K. Brodie  
Eastern District of New York  
225 Cadman Plaza East,  
Brooklyn, NY 11201

Re: United States vs. Raza Sikandar, 20-cr-582 (MKB)

Sikandar Affidavit

Affiant, Raza Sikandar, hereby attests that the following information is true & accurate to the best of his knowledge, recollection & ability:

1) I was appointed Douglas Morris (Morris) from the Brooklyn Federal Defenders Office, Michael Gold (Gold) and John Wallenstein (Wallenstein) (collectively as "counsel"). All counsel have unreasonably, deficiently and prejudicially failed to perform their fiduciary duties to me (hereafter referred to as "ineffective" or "ineffectively");

a) Pre-trial counsel ineffectively did not object to nor challenge nor negate the removal of the miscalculated inflated base offense level of 12 instead of 8 by AUSA Wenzel and Morris ignored/failed my initial instruction to plead guilty at the onset of the prosecutions case to misuse of passport, thus I was unable to benefit from a fast resolution with AUSA Garibaldi instead of AUSA Wenzel who has operated in bad faith since the onset of his appearance which prevented me from pleading guilty for approx. 1 year. As the Court is aware, I have attempted to progress my case towards sentencing by entering a guilty plea, accepting full responsibility & explaining to the Court why I committed my crime, but I have been continuously hindered from doing so by AUSA Wenzel & the government by their repeated recalculations of my guidelines & their attempts to prohibit me from explaining my conduct to the Court.

a) Due to Morris' ongoing failures to ineffectively provide me assistance, I requested substitute staff counsel by Deirdre von Dornum - Attorney in Charge; & due to ongoing conflict between us, she agreed. The conflict was his failure to lodge an initial guilty plea, to defend my United States Constitutional Rights as a criminally accused US citizen, (i.e. invoke & defend my Speedy Trial, Due Process, Excessive Bail, Confrontation Clause, [Effective] Assistance of Counsel, Cruel & Unusual Punishment (as I have been subject to during the pendency of my detention thus far - [detainees are not supposed to be subject to punitive measures] ) and other rights - and my specific instructions to object to any violation, suspension and/or tolling of these rights that were being annihilated (failure by all counsel);

b) Morris ineffectively and vigorously protested/contested the internally ordered staff replacement by Ms. Von Dornum, forcing the Federal Defenders to choose between my rights as a client and Morris' entrenched position as a 20+ year senior/supervising attorney within the Federal Defenders. They chose him. Morris sneeringly informed me (at least on three separate occasions) - that he would remain as my attorney and that no one within the Federal Defenders but him would represent me - and if I didn't like it, then I can ask for CJA appointment. His ultimatum was very distressing as I did not want CJA appointment [which he knew - as I relayed my opinion of CJA appointment to him and Ms. Von Dornum as they typically lack the legal resources and acumen [dedicated legal assistants/paralegals, social workers, mitigation specialists, private investigators] and legal access [such as a dedicated in-unit phone line] that the Federal Defenders internally commands (see my notes and draft letters to Ms. Von Dornum and to Ms. Kissick);

c) Counsel ineffectively failed to investigate &/or research my case &/or background which for Morris Ms. Von Dornum attempted to remedy by provisioning me with legal assistant/paralegal Carrie Kissick to offset his ongoing deficiencies;

d) Counsel ineffectively self-calculated and provided a grossly inflated criminal history to the Court & at my initial appearance Morris prejudiced me for bail consideration when he committed this error which then raised the floor on future bail applications;

f) Counsel ineffectively did not research appropriate sureties & Morris submitted a premature application causing me prejudice by increasing the threshold/burden for future applications;

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Of important note: I am not deflecting from my guilt & acceptance of responsibility. I am advancing what all my counselors have failed for sentencing consideration in alignment with the Court's position (see plea transcript). I make almost the entirety of my arguments from the prosecutions (emphasis) discovery productions - nothing from what any counselor has advanced, demonstrating that all of my defense counselors have failed to investigate any aspect of my case.

Pointedly, all they have done so far was to let me sit in a maximum security facility as a non-violent defendant for almost two years under the harshest, most savage conditions of any institution in this country, gaining advantage in pressurizing me to agree to incorrectly calculated & artificially inflated guidelines by holding me in inhumane conditions, exposing me to assaults, then not even having the decency to petition for medical intervention (ultimately resulting in me filing a Pro Se medical motion for Court intervention - which the BOP still fails to provide), letting time pass all the while informing the Court that they were "ready" to proceed to trial or sentencing, all the while suppressing discovery from me pre-trial until now & claiming critical sections pertaining to my Duress argument (like Czech police reports establishing my self-reporting as a victim of kidnapping, blackmail, extortion, ransom, torture) were "attorney eyes only" (provided to me by the prosecution one day before my change of plea hearing (see plea transcript)).

Then they had me wait almost a year after pleading guilty for sentencing, still unprepared as counsel requested continuances - once in June and once in September that I asked to be rescinded. Counsel fails to provide a mitigation specialist to date & refuses to do so prejudicially - even after the prosecution advances an improper astronomical variation of my true sentencing range & still fails to correct my inaccurate record.

My previous attempts to bring some of these egregious issues were not advanced properly, and as such, the Court correctly opined with counsels' posturing. I attempt to expand more constructively on these deficiencies now. It is not my intention to disrupt the judicial process or bring any judicial inefficiency. My defensive animation is due to the prosecutions provocations in bad faith & my not being defended dutifully from counsel. Though I have US & EU law degrees, I am not equipped, capable, experienced or have the support/guidance that any lawyer or prosecutor has in this or any US bar nor do I have the ability to effectively advance pro se as legal capacity is obliterated by the fact that I am mostly caged in a tiny metal cell, now almost for two years. I ask the Honorable Court for support, temperance, understanding and mercy.

To the best of my knowledge,

  
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Raza Sikandar, Pro Se



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FROM: 20832509  
TO: Wallenstein-Office, John  
SUBJECT: Sikandar Affidavit 2  
DATE: 09/22/2022 03:16:03 PM

4) Recently, Mr. Wallenstein instead of arguing for attorney-client confidence/privilege, advances against it on the issue of BOP "Corrlinks" emails. He ineffectively fails to consider the boiler plate language from the United States Attorney's Office stipulating that email communications between counsel and legal staff may be filtered out to preserve legal confidence/privilege as long as certain protocols are followed (see AUSA Wenzel 01/28/21 email & Wallenstein "Faretta" motion). He protects himself and sacrifices his client and the entire defense bar showing the true caliber and essence of what kind of representation he provides.

5) Wallenstein puts me in a bad light - prejudices me - won't answer my meritorious legal questions - is wholly unreasonable - & now his very adopting of my "new" objections establishes his ineffectiveness - as they are the same arguments I have been informing him of for months/year+ now (see emails) and are uncomplex arguments that any reasonable defense counselor should and would comprehend and advance. The 4 level enhancement removed from the base offense level for Misuse of Passport was advanced by me which Wallenstein adopted (see emails). This illustrates that my legal points/arguments have substance & merit. Wallenstein will scream at me not to lecture him in the law whenever he wants to deflect from my inquiries. He has attacked my law degrees - both obtained with much difficulty from top ranked and prestigious law schools - WASHU is highly ranked and prestigious in the US of which I graduated in the upper echelons of my class - and Charles University is ranked among the most prestigious law schools in Europe with a 700+ year legal faculty, where I graduated top of my class - thus, I believe it is these very difficult achievements that have created such an inherent bias towards me not only from my counselors, but from AUSA Wenzel/government as well.

Of note, the legal profession in the US is generally "elitist" and criminal-justice impacted individuals face substantial backlash/hurdles to engage in it (See NY Public Library "Connections" 2022 - see pgs.10-19 - full introduction - "elitist" - "CUNY School of Law" - "Brooklyn" - "FILSAA" - "Colby Williams" - "Lisette Bamenga" - "Angel Solis" in reference to illuminating this bias - {Connections organizations provides the substance of my non-profit - connecting these organizations and others ones similar to them to pre-trial detainees from day one - assisting in mitigation services for the accused and replacing rehabilitation for punishment from the onset, thus the complete book should be lightly reviewed by the Court for sentencing purposes - also see [www.STEPS-NYC.com](http://www.STEPS-NYC.com) for more information on my efforts and how I've converted this brutal experience into something positive and have been trying to earn my forgiveness}).

Also, as I believe that STEPS-NYC takes the title of "America's / World's First Non-Profit Organization Formed By An Active Prisoner" [detainee] - {especially as an organization designed by an active detainee/prisoners to assist other detainees/prisoners}, I hope to capitalize on that title upon my release to push the positive aspects of my detention & gain support & perhaps Your Honor, due to all this - I've had to struggle with my counselors and why AUSA Wenzel continues to suppress, bully, degrade and admonish me - they don't want to see me as a Person - they rather see me as sub-human/as beneath them [to maintain their "status quo" - to maintain position higher than me in our societies hierarchal structure & not acknowledge the unfortunate desensitized perspective they now hold of all accused]. They rather keep me labelled as I have been my entire US adult life, as a scarlet lettered criminal.

On this thread, I need to say that for the first time in my life I am fully equipped to succeed. I have earned degrees since my departure and grown intellectually by leaps and bounds. I do not ever need to commit a single crime for any reason whatsoever your Honor. These last two years of detention put so much pressure on my psyche but I have been able to channel it into something so pure and positive that I believe I have found my calling - bringing social justice & advocacy to others.

6) From Mr. Wallenstein's and previous counsels actions and conflict, I perceive that I am now in a prejudiced/compromised position in front of this Honorable Court which I hope to adequately address.

7) Wallenstein bail petition - I had to make extraordinary efforts to have a comprehensive bail petition generated which he never believed would be granted. It was through my extensive efforts to provide medical background, financial information, coordinate with family, supply meritorious 2nd circuit case law, constantly push and provide relevant context that was then used in the bail application. Mr. Wallenstein did little to nothing in that regard but parrot my arguments in my opinion (and why he was unconfident in the outcome (see emails). My father and others spoke with him and everyone was ready to sign - and after the Honorable Court granted bail & then ordered a magistrate judge to finish up the details (Wallenstein had failed to inform my family to participate at the bail petition) he informed my family that AUSA Wenzel told him (ongoing cozen efforts) that likely due to my VA detainer, I would be extradited. Wallenstein never researched that I had waived extradition and because VA had failed to extradite me in the allotted time (see NY/Queens County securing order in exhibits with expiration date) the detainer in NY is

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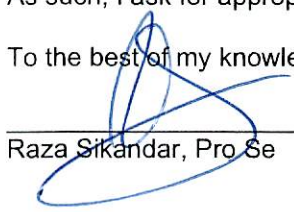
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924(c) - thus Alleyne+ should be applicable and the "behavior" element likely had to be stipulated on the indictment; thus, it is likely defective &/or relevant conduct is already encompassed if it is not defective.

As the Court is now aware, I have attempted to progress my case towards sentencing by entering a guilty plea, accepting full responsibility & explaining to the Honorable Court why I committed my crime of misusing another US citizens passport to come back home to the US; however, I have been continually held back from doing so by counsel, AUSA Wenzel (& Ms. Bing's) continuous recalculations of my sentencing guidelines & their attempts to prohibit me from explaining my conduct to the Court.

As such, I ask for appropriate remedy by the Court.

To the best of my knowledge,

  
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Raza Sikandar, Pro Se



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FROM: 20832509

TO: Wallenstein-Office, John

SUBJECT: Sikandar Affidavit 3

DATE: 09/22/2022 03:17:02 PM

13) When I arrived at JFK airport, I got into line and when I reached the CBP agent handed over the passport. In the videos you can see that I had no one to ask for assistance - only a line to get into. When I handed the passport - the only instruction given to me before I could speak was to remove my mask to get facially scanned by the automated/electronic scanning machine. I was then told to go to Secondary due to a facial variance. Before getting to Secondary, I asked for an attorney & the right to remain silent. Further, when I got there & I was asked by the desk agent, I again asked for an attorney & the right to remain silent. When I was asked about information on the passport, I knew no personal identifying information nor travel history. I was then badgered by multiple CBP officers to speak and I kept insisting that I wanted to remain silent and that I requested an attorney.

14) They called in a supervisor and when he came (can be seen in the picture x.004), he told me that I did not have any Constitutional protections as I was in a passport control area and not the United States. He admonished the agents for not taking my fingerprints earlier and proceeded to have them taken.

15) After the prints came back - they called Homeland Security and a Tactical Terrorist Response Team [TTRT] as I was racially profiled for being brown and my parents are of Indian and Pakistani decent. Homeland security agent (see x.009) refused to come and when the TTRT came I asked for an attorney and the right to remain silent. They told me that I did not have those rights and if I did not cooperate then I would be taken to a Guantanamo Bay type facility and I would talk to them no matter what. There were three of them in the tiny fingerprint room with me - and they were talking to me as if they would hit me. I then told them my story not mirandized (which I asked all counsel to suppress including Wallenstein). After interviewing me, in my opinion, they fully believed that I was kidnapped [very significant as these are highly trained officers skilled to assess deception &/or lies (See TTRT report)] and said that we could charge you with misuse of passport but we won't, to not worry, that I'm safe now and to tell them the names of the kidnappers when I could so they can follow up and bring them to justice. One of the TTRT agent's names was "JT" if I can recall correctly, and his information was put in to my black leather carry on bag by CBP officers.

16) I was shuffled through different terminals & put in a holding cell then taken to Jamaica hospital where CBP was informed that I was "Not Fit for Confinement" perhaps due to my international travel, perhaps from shoulder surgery w/ surgical stitches or perhaps from other medical comorbidities. I was taken back to the terminal 7, I believe, under guard & I was set to be released as Virginia hadn't come by then. Not wanting to release me - the CBP officers in the morning were frantic trying to contact anyone to take custody over me as I was "detained" and not in custody and they had to release me soon - as told to me by one of the CBP officers. He asked for contact information for my family & where I will be staying & said I was going to be released. All police agencies had refused to take me into custody up until then I believe. A Port Authority "thief" detective was then contacted - apparently a personal contact of one of the administration CBP officers working that morning - (his office was in the second secondary passport control area where I was taken to and where I was transferred) he accepted to take me into custody on behalf of Virginia even though I was not fit for confinement. He came to JFK with 2 "New York Correctional Officers" that were posing as NYPD police officers, his "squad" as he referred to them to the CBP officers (I later saw their badges that evening at Bellevue Hospital where the NYPD were called on them for lying to the doctor and admin staff at the hospital that I had to get a very rare RAPID Covid test (24 hour PCR test - rare in 2020) on orders/authority of the US government). When the NYPD came with hospital admin staff and a legion of hospital workers to confront the two imposters that were illegally holding me, they quickly herded me out to the van and quickly sped off exacerbating my injuries even further as I was cuffed, shackled, & chained but unsecured on the bench seat in the van.

17) My valuable property that was taken upon my arrest and put into a clear CBP evidence bag with currency, a designer Fossil watch that was a birthday present from my wife - of enormous sentimental value to me as it was a gift given at a time when we had little to nothing - we had struggled even for groceries but she had managed to save little by little to give me that watch & my wedding and that my father had prayed over and blessed, and a gift of a Lacoste leather wallet also from my wife again, very sentimental in value to me, two cell phones (iPhone kidnappers had smashed while in my apartment + Android phone which receipt is in discovery) and other personal items this thief detective stole from me after the bag was opened by CBP officers and the passport extracted from it during custody transfer, then the bag with my property was handed to the detective which should be seen on the 100's/1000's of cameras at JFK (at secondary passport control area) with footage that must still exist today - perhaps exculpatory - which the Court ordered AUSA Wenzel to look into last year but he failed to (at least as known to me). I was then paraded by this "squad" through the public terminal and in front of hundreds of people to the parking lot in front of crowds of people like I was the biggest criminal in the world - my welcome home to the United States - a completely



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thing & advance the appropriate objections pertaining to my guidelines & that I did not want to make any legal arguments or act in any capacity to infringe on counsel - however he refused & here we are. Even when he came to see me briefly after the sentencing hearing was adjourned, he only acknowledged one of my arguments and said to mail him the others. On 9/6 I emailed them. 2+ weeks later & nothing.

Again, my desire is to be sentenced fairly with the correct guidelines & I put on the record that the Mr. Wenzel and Ms. Bing cannot upward depart/request an upward variance using the vehicles/triggers that they are using on the PSR as they are improper.

To the best of my knowledge,

  
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Raza Sikandar, Pro Se

TRULINCS 20832509 - SIKANDER, RAZA HASAN - Unit: BRO-K-B

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FROM: 20832509

TO: Wallenstein-Office, John

SUBJECT: Sikandar Exhibit List w/Description 1

DATE: 09/22/2022 03:18:42 PM

09/22/2022

Federal Courthouse for the Eastern District of New York

Attn: The Honorable Chief Judge Margo K. Brodie

re: United States vs. Raza Hasan Sikandar, Case No. 20-cr-582 (MKB)

Exhibit List -

x.001- History of allegations of Wallenstein providing ineffective assistance of counsel [IAC] w/possible IAC remand by Court of Appeals [1-68]

x.002- NY Bar statement of client rights/responsibilities [1-2]

x.003- Email communications, case law, etc. [1-155]

x.004- CBP supervisor that refused to provide attorney after it was invoked & stated that right to remain silent & Constitutional rights were not applicable in transit zone - ordered fingerprints - shows the confined space used to interview/intimidate me by the TTRT agents - time stamp

x.005- Inventory list of limited items brought back home post-kidnapping evince hurried departure. All items confiscated and never returned back

x.006- CBP synopsis establish facial mismatch from Automated Kiosk - when referred to Secondary - invoked right of silence & attorney. When forced to answer questions unable to verify any biographic or personal information & unable to verify crossing/travel history of John Doe contrary to Government narrative - unanswered legal question to counsel regarding Count 2 "aggravated" identity theft behavior element

x.007- Discovery production RS000145 completely redacted - illustrates government hinderance to a fair & fast guilty resolution at the very onset of AUSA Wenzel's appearance & the during discovery process which continues to this day. Text messages from John Doe used for obstruction enhancement not in any discovery - discovery rules/Brady violation

x.008- Time stamps illustrate contrast to Govt. narrative of timings [1950; 2045]

x.009- Time stamps illustrate contrast to Govt. Narrative [2101; 2242; 2247 - ex. 2247 is wrong 2047 is proper, see x.012] - evinces disparity & puts into question what other errors are in these reports. 3 members of the Tactical Terrorist Response Team (TTRT) interviewed Sikandar without administering Miranda while in the fingerprint room [very small enclosed space - intimidation] - requested pre-trial suppression hearing multiple times (see emails to counsel from 9/5, 9/10 [11:46 am], 9/10 [16:21], 9/13, 9/19 - 2021) - Transcription from TTRT report is used on the PSR paragraph 4; 6; 8-19; 20; 21 - which contains multiple inaccuracies and was taken without Miranda rights being administered & without right to counsel that was invoked - therefore Sikandar objects to TTRT content in it's entirety; warrant for Virginia is for probation violation for bad check & [enhancement charge] false pretense - NOT theft and Identity theft as govt. narrative in memos attempt to falsely taint; Port Authority (PA) was also not called until the next day (per my knowledge) and PA detective stole Sikandar's valuables including approx.. \$10,000 worth of currency, Lacoste leather wallet, Fossil watch and platinum wedding band among other items of sentimental value [See x.045 and also Court order from July 2021+/- for AUSA Wenzel to investigate and update Court who failed to do so] [see sub-exhibits 1-9]

x.010- John Doe US Passport "stamps" that Govt. manipulates as fraudulent - Doe himself was the one to have the "stamps" applied to his US Passport by going with Sikandar to the foreign police offices and HE had extension "stamps" placed by uniformed officers/staff in his presence. Videos and photos exist of the Sikandar and Doe waiting in long lines to have passport "stamped" for extensions. CZ Deputy Ambassador to U.K. assisted in facilitating extension for Doe as Doe was HIRED as a consultant for Sikandar's practice to extend his stay. Sikandar's professional contact "Reneseme" from the Labor Ministry facilitated extensions [see text exchange for obstruction enhancement]; extraordinary efforts & resources were expended by Sikandar for John Doe in contrast to Govt. narrative that include over 300+ hours of just legal assistance, 100s of hours of



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equitable resolution was significant and the avoidance of all these harsh conditions & suffrages such as assaults & extensive physical and mental trauma all could of been avoided

x.023- PSR (Ms. Bing) improperly merges this section with initial arrest at JFK skewing the narrative for the Government in an attempt to put me in bad light

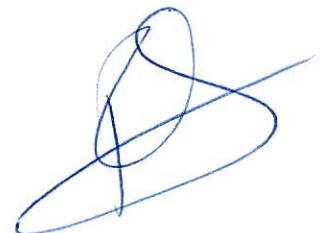
x.024(a-d)- NY Correction transfer to DSS early morning on 12/07/2020 - was missing fit for confinement documents and medical department at Rikers was reluctant to transfer custody to DSS as Sikandar was set for release from custody as secure hold for Virginia had expired. DSS took Sikandar to First Presbyterian Hospital and attempted to question him without an attorney there that Sikandar refused as he had invoked his right to remain silent and for an attorney to be present. Then they falsely stated (DSS) that First Presbyterian issued a fit for confinement (see DSS exhibit - RS000158)

x.025 - That never happened as later the US Marshal service improperly obtained a fit for confinement for Sikandar from Kingsbrook hospital as Marshals had taken Sikandar to Bellevue and other hospitals throughout NYC all refusing to give a fit for confinement. One of the 2 US Marshals had a contact at Kingsbrook and when Sikandar was taken there, he was not even properly assessed and fraudulent fit for confinement was produced to the 2 US Marshals that were transporting/trying to get Sikandar intaked into MDC. Sikandar was refused processing at MDC prior to being taken to Kingsbrook [took almost 24 hours for custody transfer]

x.026(a-d)- NY Presbyterian Hospital bracelet (a) dated 12/07/2020 MRN: 1400146127 CSN: 131589603 and Discovery statement by DSS (b) [RS000158] shows lie that "The SUBJECT was medically cleared for confinement at 1211 hours (c-d), shows significant mental trauma inflicted on Sikandar when he was brought to MDC and then put in isolation for 3 weeks with no way to communicate out and had 2 ten minute herded showers out of his cell. Writings on toilet paper cover to family show inhumane conditions

x.027- MDC rare cop-out (as most get destroyed) dated from 12/10/2020 show that Sikandar did not have any legal documents including charging documents. This problem has persisted the entire time of his detention - all due process violations and a significant erosion of his US Constitutional legal rights. While in intake/quarantine unit no phone communication capabilities available - put into a black box inflicting extraordinary trauma to detainees that still exists today

x.028- MDC medical cop-out requesting placement into an RRC facility instead of maximum security federal facility or a healthcare facility as Sikandar was not medically fit for confinement. Insufficient response given by psychology while MDC was inflicting brutal physiological trauma on Sikandar by isolating him in a cell by himself who no communication capabilities from the onset of his detention [x.028(a)- med] - all counsel failed to facilitate bail transfer to a RRC facility even though Sikandar was accepted to one after several intake interviews (and an acceptance letter for pre-trial RRC/halfway house was provided to Wallenstein that failed to advance an alternate bail application





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FROM: 20832509  
TO: Wallenstein-Office, John  
SUBJECT: Sikandar Exhibit List w/Description 2  
DATE: 09/22/2022 03:20:56 PM

United States vs. Raza Sikandar  
re: case no. 20-cr-582

Exhibit List 2-

x.029(a-b)- Cop-out dated 12/14/2020 stipulating multiple breaches of detainee rights - never responded to by Warden of MDC - perpetual problem that administration simply ignores most cop-outs

x.030(a-d)- 3500 material and exculpatory material missing such as conversations from John Doe - indictment from 12/18/2020 lacks behavioral element required under Supreme Court case *Alleyne* & progeny when minimum mandatory enhancement is applied

x.031(a-b)- Emails from spouse establish communication blackout until 12/26/2020. Significant mental and physical trauma inflicted by MDC detention facility outside of normal limits set by United States Constitution and the United States Sentencing Manual. Due Process+ violations

x.032(a-r)- 12/28/2020 shows legal access and mail suppression - perpetual issue until now. Increased trauma as accused is denied proper access to Constitutional and Supreme Court legal protections. Due Process+ violations

x.033- Medical exhibit shows upper respiratory comorbidities from the onset that Morris failed to incorporate into bail application. Physical assaults' enhanced harshness of detention

x.034- Uncomprehensive bail application renewal by Douglas Morris dated 12/30/2020. Establishes disconnect from the onset between Sikandar and initial counsel. Unreasonable, prejudicial and deficient performance

x.035- Please See [Wallenstein hasn't provided it after I've requested it - see emails ]: Govt. Detention Memo shows that all relevant conduct in the AUSA Wenzel's 08/18/22 sentencing memo already was encompassed in the detention memo back from 12/31/2020 and there's nothing new. Plea offer extended on inflated offense level of 12 was 38 months with all pseudo-conduct already calculated in. Bad faith plea offer that was made hindered me to lodge a guilty plea & caused delays [Govt. now concedes to improper 4 level enhancement that was a 50% increase in offense level BEFORE even a 2 level acceptance of responsibility reduction applied, therefore it was inflated at onset more than 50%] clearly indicates prosecutorial misconduct, vindictiveness', manipulation & now his inflated proposal of 72 months with no additional aggravating factors from then until now establish illogical, unreasonable and improper proposal by Govt.

Wallenstein's substantial negligent & deficient ongoing performance as he fails to address/challenge/rebut /object to these allegations from the onset until now (along with both previous counselors Morris and Gold) nor advance proper legal arguments to neutralize these prosecutorial advances culminate into unreasonable & prejudicial assistance. Even on Faretta motion he justifies his dereliction of duty by stating that Sikandar wants to re-litigate his case - when it is the prosecution that is attempting to incorporate anything it can into a misuse of passport count to improperly enhance that counts sentencing exposure which counsel fails to challenge/object to and his remarks prejudice Sikandar to the Court as he fails to take into consideration harsh conditions/rolling lock-downs

x.036- MDC cop-out dated 01/04/2021 requesting IADA - no assistance by any of the appointed counselors to assist endeavor - failure of duty as a simple legal request by them to facilitate could of removed any active detainers for bail mitigation - in alignment with their duties - however each individually and jointly failed Sikandar in almost every way. Improper information given to Sikandar on IADA by MDC causing him prejudice

x.037- Morris addendum to uncomprehensive, unresearched, and poorly written bail application adding "chronic bronchitis" and not garnishing Sikandar's full spectrum of respiratory comorbidities including immunity suppression - a complete & utter legal failure. Due to Morris's unreasonable and prejudicial initial bail application he increased the floor for subsequent petitions as reentry plan offered was a "homeless shelter," & improperly calculated & inflated criminal history level, unresearched background, refusal to internally substitute himself with another staff attorney as directed by Ms. Von Dornum and antiquated legal methodology all provided Sikandar with ineffective assistance



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x.044(a-m)- Draft letters to her Honor Judge Brodie regarding Michael Gold's deficient performance and his inability to have the improper 4 level enhancement removed to benefit Sikandar in plea negotiations - now conceded to by the Govt. This establishes that deficient, unreasonable and prejudicial performance from Mr. Gold and his failures to investigate Sikandar's case is highlighted here. Also draft letter to Mr. Gold at the onset of his appointment questions his experience as bio record provided to Sikandar shows Michael S. Gold is primarily a "real estate background" with civil transactions as his core experience not criminal

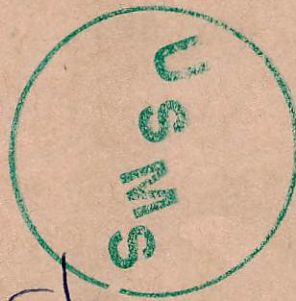
x.045(a-c)- Pro Se Motion that was withdrawn by counsel dated 02/10/2021 establishes Sikandar invoked his Speedy Trial rights from the onset on the record and also informed the Court of his miscalculated guidelines evincing his desire to plead guilty and be sentenced fairly. Also, reports the theft of his property. Bill of Particulars could of clarified behavior element that is missing for aggravated identify theft count thus the indictment may be deficient and is one of the unanswered legal questions that all counselors have failed to acknowledge/object/or investigate for Sikandar and questions regarding the possession element contained in the indictment not being remained unanswered/explored pre-trial showing deficient performance by all counsel

x.046(\_\_\_\_)- Case law, medical records, criminal record showing intervening arrests for Fauquier County {-3 points}, insufficient funds check "petty offense," for Fauquier County 2013 conviction {-1 point}, VOP warrant[s] inapplicable as original charges are uncountable {-2 points} [thus -6 pts off criminal history category on PSR]; USSG manual 2B1.6 & Amendment 677 application notes, legal arguments regarding inflated PSR and arguments of defective indictment advanced to counsel

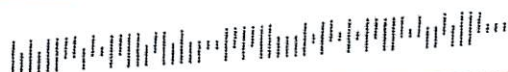
x.047(a-k)- Siyang Chen Affidavit w/exhibits (emails between Wallenstein etc.)

A handwritten signature in blue ink, consisting of a stylized, cursive 'S' followed by a horizontal line extending to the right.





Clerk of Court  
ed States Federal Courthouse  
the Eastern District of New York  
able Chief Judge Margo K. Brodie  
Cadman Plaza East,  
Clyn, NY 11201





MDC-Brooklyn

RAZA SIKANDAR #20832509

P.O. Box 329002

Brooklyn, NY 11232

Att:  
Unit  
For  
Honor  
225  
Broo

Legal Mail

Special Mail